

REMARKS/ARGUMENTS

This paper is filed in response to the office action mailed July 29, 2005.

In the office action, the Examiner entered certain claim objections and rejections under 35 U.S.C. §112, second paragraph. Those objections and rejections have been addressed in the claims as amended.

The Examiner also entered certain claim rejections under 35 U.S.C. §§102, 103. Specifically, claims 1-5, 8-20, and 23-38 were rejected under 35 U.S.C. §102(e) as being anticipated by Sunabashiri (2004/0164530). Claims 1-3, 5, 8-17, 19, 20, 23-33 and 35-38 were rejected under 35 U.S.C. §102(e) as being anticipated by Volkmann, et al. (United States Patent No. 6,464,251). Claims 1-6, 10-21, and 25-38 were rejected under 35 U.S.C. §102(e) as being anticipated by Nakanishi (United States Patent No. 6,736,422). Claims 7 and 22 were rejected under 35 U.S.C. §103(a) as being unpatentable over Nakanishi and Bakhsh, et al. (United States Patent No. 6,851,707).

By this paper claims 1, 4, 15, 18, 31, 32, 34, and 36 have been amended and claims 5, 19, 20, 35, and 38 have been cancelled. Accordingly, claims 1-4, 6-18, 21-34, and 37-37 are presented for reconsideration by the Examiner.

REJECTION OF CLAIMS UNDER 35 U.S.C. §102

Rejections In View of Sunabashiri

In the Office Action, the Examiner rejected claims 1-5, 8-20, and 23-38 under 35 U.S.C. §102(e) as being anticipated by United States Patent Publication No. 2004/0164530 to Sunabashiri (hereinafter "Sunabashiri"). Applicants respectfully request that this rejection be withdrawn in view of the claims as presently amended.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP § 2131 (*quoting Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). "The identical invention must be shown in as complete detail as is contained in the . . . claim." *Id.* (*quoting Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913,

1920 (Fed. Cir. 1989)). In addition, “the reference must be enabling and describe the applicant’s claimed invention sufficiently to have placed it in possession of a person of ordinary skill in the field of the invention.” *In re Paulsen*, 30 F.3d 1475, 1479, 31 USPQ2d 1671, 1673 (Fed. Cir. 1994).

The claims as amended provide for an inflatable curtain having a first panel and a second panel. The first panel has a pleat which is formed by arranging the first panel such that a portion of the material of the first panel is doubled back upon itself and then secured in place. Support for this limitation is contained within the specification, including page 11, lines 9-16 and page 14, lines 8-11. This feature is also clearly illustrated in the Figures, including, for example, Figures 2-5.

This feature is not taught or disclosed in Sunabashiri. Nowhere does Sunabashiri disclose a pleat formed in a single sheet of material by doubling the sheet of material back on itself. Sunabashiri discloses an inflatable curtain having no pleats of the type claimed. The only alleged pleats are formed by the folding pattern of the two sheets of the inflatable curtain. *See*, Figure 3. Nowhere is one of the sheets of the material making up the inflatable curtain folded back on itself to form a pleat.

Rejections In View of Volkmann

Once again, a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. However, like Sunabashiri, Volkmann fails to disclose a pleat formed by a panel of an inflatable curtain being doubled back on itself. Rather, both panels of Volkmann are folded in a “zigzag” manner. *See*, Volkmann, Col. 2, lines 21-27. As explained in Volkmann this results in individual layers of the side curtain airbag lying adjacent each other in a parallel manner. This does not in any manner constitute a pleat of the type claimed, but rather constitutes a regular folding pattern. Thus, the claims as amended are not anticipated by Volkmann.

Rejections In View of Nakanishi

The claims are not anticipated by Nakanishi for the same reason. Nakanishi does not teach or disclose a pleat formed in a panel by folding the material of the panel back on itself. In fact, the inflatable curtain of Nakanishi has no pleat, as can be clearly appreciated by reference to Figure 1(b) where the window sheet and the compartment sheet are illustrated as flat sheets of material. It is only by folding the entire inflatable curtain as illustrated in Nakanishi that the inflatable curtain takes any unique shape whatsoever. That is, it is the overall folding pattern of Nakanishi that provides its uniqueness, not the formation of a pleat in one of the sheets of material.

Therefore, it is apparent that Nakanishi does not anticipate the claims as amended.

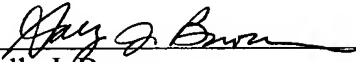
REJECTION OF CLAIMS 7 AND 22 UNDER 35 U.S.C. §103

The Examiner also rejected claims 7 and 22 under 35 U.S.C. §103(a) as being unpatentable over Nakanishi in view of Bakhsh, et al. However, “To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art.” MPEP §2143.03. As fully discussed above, Nakanishi fails to disclose the claimed pleat structure. Bakhsh is cited to show the use of adhesive bonding. However, Bakhsh provides no additional teaching regarding the formation of a pleat of the type claimed. Accordingly, the combination of Nakanishi and Bakhsh does not render these claims obvious because they fail to disclose all of the elements of the claims.

Accordingly, Applicants submit that all of the pending claims are in condition for immediate allowance. Applicant respectfully requests that a timely Notice of Allowance be issued in this case. If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is respectfully requested to contact the undersigned.

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Respectfully submitted,


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